IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

RODERICK THORNTON,)	
Petitioner,)	
) No. 3:09-mc-00	93
v.) JUDGE HAYNE	S
)	
STATE OF TENNESSEE,)	
)	
Respondent.)	

ORDER

Upon review of the file, the Clerk of Court mailed copies of Orders in this action to the Plaintiff on June 8, 2009. Copies of these Orders were returned to the Court as "Return to Sender." (Docket Entry No. 3).

Under Fed. R. Civ. P. 5(b), service is effective upon mailing to the party's last known address. It is a party's responsibility to inform the Court of his address so as to enable the Court to inform all parties of matters arising in the litigation. <u>Downs v. Pyburn</u>, No. 3:87-0471 (M.D. Tenn. Order filed September 4, 1987). The Plaintiff has failed to inform the Court of his new address, and the Court is unable to conduct the necessary proceedings in this action.

Accordingly, this action is **DISMISSED** without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure for Plaintiff's failure to prosecute.

It is so **ORDERED**.

ENTERED this the 17 day of June, 2009.

United States District Judge